



Missouri Department of Higher Education and Workforce Development

FREQUENTLY ASKED QUESTIONS (FAQs) ABOUT...

OWD Issuance 04-2020: WIOA Adult and Dislocated Worker Programs Eligibility and Documentation Technical Assistance Guidance

(August 28, 2020)

Last update: December 27, 2021.

Q: Do we have to validate employment status at participation?

A: No. After reviewing [TEGL 23-19, Attachment 2](#), employment status at participation is only reported to DOL but does not require data element validation to occur. Staff must document the answer to this question, but collecting source documentation is no longer required. This question will be removed from state monitoring workbooks moving forward.

Last update: December 2021.

Q: Does a signed WIOA Application meet the requirements for a WIOA Self-Attestation?

A: Yes. After internal review and discussion, we have reversed our decision on this matter and will accept a signed WP or WIOA Application to serve as self-attestation documentation for all elements allowed to use the attestation as a source document. If the WP or WIOA Application is used, a separate WIOA Self-Attestation is not necessary. Please refer to the table in the latest TAG and/or [TEGL 23-19, Attachment 2](#), for specific source documentation requirements.

Q: Can the Applicant Statement be used in place of the Self-Attestation?

A: No. The Applicant Statement is to be used as a last resort for very specific instances when **ALL** attempts to obtain other allowable verification documents have been exhausted and those attempts documented in case notes.

The three (3) instances when an Applicant Statement is allowable for verification:

- **Family Size:** only when other documents cannot be obtained;
- **Individual Status:** when an individual ordinarily included in the definition of a family claims to not be a dependent of that family. Proof of sources of support must be provided by the individual and the Applicant Statement must be witnessed and signed by the head of household of the individual's residence;

- **Proof of Income:** only for individuals claiming no income or undocumented income. Sources of support must be included in the Applicant Statement.

Last update: May 2021.

Q: How is DW eligibility determined based off the different federal UI benefits.

A: Pandemic Unemployment Assistance (PUA) – The PUA program is separate from the regular unemployment insurance program. PUA may cover individuals who are not eligible for regular and extended benefits, or Pandemic Emergency Unemployment Compensation (PEUC). This could include independent contractors, self-employed, agricultural workers, etc. **PUA is provided to those who did not have enough reported earnings to be eligible for regular UI and to self-employed individuals. Individuals receiving PUA must be determined eligible following guidelines listed under DW Category 2 or DW Category 5, following the TAG.**

Federal Pandemic Unemployment Compensation (FPUC) – FPUC provides an additional amount of \$600 on top of weekly unemployment benefits for up to four (4) months, through the week ending July 25, 2020. In order to receive the \$600 FPUC, workers must be eligible for regular unemployment insurance or Pandemic Unemployment Assistance (PUA). **FPUC benefits will not establish a claim, nor will it be used to determine DW eligibility. If a person is receiving or has received FPUC, they will still fall under regular UI or PUA benefits—staff will simply need to verify which UI the individual is receiving, outside of FPUC, to determine how eligibility can be established.**

Pandemic Emergency Unemployment Compensation (PEUC) - PEUC provides up to 13 weeks of additional unemployment benefits to those who have exhausted their regular unemployment benefits. **Recipients with a PEUC claim are automatically eligible under WIOA DW Cat 1.**

Last update: March 2021.

Q: How do staff properly document DW eligibility on an employed individual?

A: As allowed under WIOA, individuals can be employed and determined eligible under the WIOA DW program. If unlikely to return is a required component of eligibility (Category 1 and Category 2), staff must determine that the current employment is not the same occupation the individual's dislocated worker status is based off. If the individual is automatically eligible for dislocated worker, as highlighted in the TAG, then unlikely to return is not required.

Q: How do staff properly determine and document training eligibility on an employed individual?

A: When determining training eligibility for an employed worker, staff must fully document training justification as required under [20 CFR 680.210](#). Staff must thoroughly address how training will lead to higher wages than what the current

employment offers, as required under 20 CFR 680.210(1) and (2). As a reminder, Adult and DW eligibility must be determined before, and is separate from, training eligibility.

Last update: February 2021.

Q: Do I need to document unlikely to return in case notes?

A: Yes. The mandatory initial case note must include information regarding the “summary of eligibility”. If a person has been determined eligible as a Dislocated Worker under Category 1 or 2, staff must document how unlikely to return was determined.

Q: Is family size and income information required to be documented for special projects?

A: Yes. All projects with participants funded through WIOA dollars are reported on the PIRL. For all projects, including National Dislocated Worker Grants and statewide projects, family size and income information must be collected by the WIOA Self-Attestation, at minimum, even if it is not required to determine eligibility. Reminder, if staff have documentation to support low-income status, such as being on public assistance, the WIOA Self-Attestation is not required.

Last update: January 2021.

Q: How are SSNs verified for Dislocated Worker Grant participants?

A: Missouri has chosen to verify SSNs across all programs and has developed an extensive list of allowable source documentation. However, per TEGL 23-19, all Dislocated Worker Grant participants must have their SSN verified using specific documentation listed in TEGL 23-19, Attachment 2. Allowable documents to validate a SSN is limited to:

- SSN Card
- Passport
- Military ID
- Other Federal or State ID with SSN

Staff cannot use the list of Missouri accepted documents for participants enrolled in a DWG. This rule goes into effect October 2, 2020 and affects all enrollments performed after. The source documentation table was updated to reflect these details.

Q: What update was made to the Self-Attestation Form?

A: The “Self-Attestation” form was updated to remove the following statement: “If applicant cannot obtain a satisfactory witness or provide a telephone contact,

explain above.” The Self-Attestation form does not require a witness signature, so this reference was removed.

Last update: December 2020.

Q: What were the most recent updates to the T.A.G.?

A: The income section was updated to clarify that participants must complete the self-attestation form to report income when their eligibility is not income-contingent. Additionally, the “unlikely to return” section was updated. All changes are in red text.

Q: If an adult is determined to be 50% disabled by the military, can they be considered a family of one and only consider their income?

A: Yes. §680.640 states even if the family of an individual with a disability does not meet the income eligibility criteria, the individual with a disability is to be considered a low-income individual if the individual’s own income:

(a) Meets the income criteria established in WIOA sec. 3(36)(A)(vi); or

(b) Meets the income eligibility criteria for payments under any Federal, State or local public assistance program

The individual would have to provide documentation for, or attest to, disability status and provide documentation of income. Staff would retain documentation as proof.

Q: According to the T.A.G., the WIOA intake form can be used as verification for Employment Status at enrollment. MoJobs does not list the intake form as a way to verify this. Should staff select other and type signed intake form?

A: Yes. If using the signed intake form, for this element, please select OTHER and note the WIOA intake form is being used. We have limitations as to what we can have published as a “verify” option in MoJobs, so if the acceptable source documentation is not listed has an option, always use ‘Other’ with the indication of what document is being used.

Update: November 2020.

Q: In the WIOA application, do staff have to enter “family size” and “income” for WIOA Dislocated Workers? If yes, what documentation is required?

A: Yes. Low-income is a PIRL reporting requirement. TEGL 23-19 requires that low income be reported at program entry for all WIOA programs.

Income is not an eligibility requirement for DW, therefore, self-attestation is acceptable for family size and income. For DW only, staff DO NOT need documentation such as pay stubs.

For additional information please see the full TEGL, please click [HERE](#).

Q: If the "household and income" tab states "Low income has already been established based upon previous entries. Family size and income are optional," do staff still need to answer the family size and income questions?

A: No. That message will display in MoJobs when a low-income indicator has been activated such as marking a participant as receiving public assistance. When that message is displayed, staff do not need to add family size and income, because low-income has already been reported to the PIRL.

Update: October 2020.

Q: How do I determine unlikely to return based off excessive applicants within MoJobs?

A: In order to determine unlikely to return using excess applicants in MoJobs, staff will need to **1)** determine how many job orders are in the system that match the ONET code the participant was laid off from, then **2)** determine how many potential applicants are in the system that fall under the ONET code to which the participant was laid off from.

To determine the number of job orders are in the system:

Manage Job Orders > Search for All Jobs > Search criteria: Job occupation code and Region. This will display total number of job orders in the system.

To determine the number of applicants available:

Manage Labor Exchange > Mass Candidate Referral > Search Candidates > Search criteria: Region, and job occupation (based off the occupation that participant was laid off from). This will display total number of applicants available.

Excessive applicants is confirmed when there are 10 or more applicants per job order. For example, if there are 4 job orders matching the participant's ONET code, unlikely to return would require at least 40 eligible applicants. Once confirmed, all supporting documentation would be required for the file.

Update: July 2020.

Q: When the Employment Tab of the WIOA Application reports that the participant has been referred by RESEA, can that be used to support DW eligibility?

A: No, this indicator is occurring as a default and is an error within the system. OWD and GeoSol are aware of the issue and are working on solution. This error is also occurring on the WP application. OWD will notify staff when the issue has been fixed. In the meantime, staff should look for posted RESEA services on the WP application when assessing individuals for WIOA Dislocated Worker eligibility.

Staff must only use this documentation for WIOA eligibility. Staff must not share this information with anyone, including the participant and/or partner agencies.

Last Update: November 2019

Q: What changes were made to the most recent update to the Adult/Dislocated Worker T.A.G?

A: The five-year restriction was removed for WIOA Dislocated Workers (DW), the DW definition and categories were updated, and new guidelines for Family-of-One was established. Please note that birth certificates will no longer be accepted to document family size of one.

Last Update: September 2019

Q: Regulations state that WIOA funds should be the final, not the first, resort funding training. In a recent informational session at a college on the Fast Track Program, it was stated that those funds are the last resort. Are Fast Track funds considered first, just like the MO Access grant, along with PELL in determining WIOA funds for a participant?

A: No. WIOA funds should be used first and then Fast Track funds can be applied. This is language from the Fast-Track HB 225 (<https://www.senate.mo.gov/19info/pdf-bill/tat/SB68.pdf>):

Grants shall be awarded in an amount equal to the actual tuition and general fees charged of an eligible student **after all other federal and state aid is applied**. If a grant amount is reduced to zero due to the receipt of other aid, the eligible student shall receive an award of up to \$500 or the remaining cost of attendance whichever is less...WIOA pays before FastTrack because WIOA is **federal aid that is not a loan**. There is a possibility that FastTrack funds could have to be re-paid.

Last update: June 2019

Q: A participant presented two documents to complete Form I-9, each containing a different last name. One document matches the name she entered in Section 1. The participant explained that she had just gotten

married and changed her last name, but had not yet changed the name on the other document. Can I accept the document with the different name? (This could also apply to the transgendered community)

A: You may accept a document with a different name than the name entered in Section 1 provided that you resolve the question of whether the document reasonably relates to the employee. You also may wish to attach a brief memo to Form I-9 stating the reason for the name discrepancy, along with any supporting documentation the employee provides. An employee may provide documentation to support their name change, but is not required to do so. If, however, you determine that the document with a different name does not reasonably appear to be genuine and to relate to her, you may ask her to provide other documents from the Lists of Acceptable Documents on Form I-9.

So, in other words if staff truly believe the documents belong to the person presenting them, then they can be accepted with the different names. However, if staff have a reason to doubt the documents then additional documentation will need to be provided.

Please direct all questions or comments regarding the Issuance or this FAQ document to dwdpolicy@dhewd.mo.gov. All active Issuances are available at jobs.mo.gov/dwdissuances. Expired/rescinded Issuances are available on request.

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